UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,743	11/14/2000	Roberta L. Patnode	10655.9500	9259

7590   06/16/2005

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EXAMINER
BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/712,743	PATNODE ET·AL.
	Examiner	Art Unit
	Yasin M. Barqadle	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 February 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-48_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-48_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   Applicant's arguments filed on February 24, 2005 have been
fully considered but they are not deemed to be persuasive.

*   Claims 1-48 are presented for examination.

Response to Arguments

2.   In response to applicant's argument in page 2 last
paragraph, that " Lewis system fails to use a financial advise
service, either in the form of a module of an application
program corresponding to a financial advice service or a
financial advice service in a communication with an advice
utility server to create financial advice application." Examiner
contends that these arguments are not persuasive. For example,
Lewis shows in fig. 4 web enabled client devices 140 with
desktop applications conforming to thin client/Web Server
architecture attached Web server 120 in communication with
database 130 having financial service data. Using a user
interface (UI) individuals connect to a web portal to perform
variety of functions depending on components (modules) invoked
by the user col. 19, lines 1-58). Database 130 contains data and
information needed to support a full spectrum of <u>financial</u>

services provided by financial services firms, e.g., brokers and

dealers, banks and trusts, insurance companies, investment

management and mutual fund companies, custodians and

depositories, and the like, around the world (col. 11, lines 50-

67. See also col. 4, lines 50-67)(financial advice services).

Lewis's invention is about data processing system for financial

management. More particularly it is about a data processing

system that provides substantial throughput for real time

standardization, aggregations derivation, consolidation,

integration, structuring, storage and distribution of financial

data obtained from disparate sources (col. 1, lines 6-14).

Applicant argues in page 3, first paragraph that Lewis "fails to

teach, advise, or suggest, "transmitting at least one request to

said advice utility server for at least one financial advice

service as recited in claim 40..." and claim 46. Examiner notes

that Lewis teaches distributing financial data and information

to subscribers and providing access to financial data services

for real-time inquiry by customers of financial service

enterprise (col. 4, lines 54-67). Users through Web enabled

access devices 140, fig. 4 make requests to retrieve positions,

balances and transactions via web server 120 (col. 20, lines 4

to col. 21, line 15).

Applicant argues in page 3, second paragraph that Lewis system "fails to teach, advise, or suggest " a road map service configured to use financial advice services data to provide financial planning and advice." Or "financial advice service data related to a current position and one lifetime goal.." Examiner respectfully disagrees. Lewis teaches financial advice service data related to a current position (financial data and information about current and projected balances and positions across customers, accounts, books, funds.., and the like [col. 6, line 7-60 and col. 20, lines 1-55]. Lewis further teaches a database configured to contain real-time data and information needed to support the full spectrum of financial services provided by financial services firms around the world (col. 11, lines 50-64).

As for the road map and life time goal Jones discloses a financial advice system for advising a user about lifetime goal such saving money to send a child to college (education), saving more money (wealth accumulation), retirement and purchasing (fig. 1, col. 4, lines 24-59, col. 5, lines 34-48 and col. 6, lines 1-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

Claims 1-48 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lewis USPN (6513019) in view of Jones et al

USPN (6021397), (hereinafter "Jones")

As per claim 1, Lewis teaches a method of creating financial

advice applications, comprising

establishing a connection to a client computer having an

application program (client workstation with user interface 140,

fig. 4, col.10, lines 21-33; col. 5, lines 27-55 and col. 19,

lines 1-58) comprising at least one module, wherein each module

of said application program corresponds to a financial service

[unified internet-enabled user interface that supports browser-

based inquires. Input data are presented to the system via and

object-oriented API such as XML that conforms to different

formats col. 5, lines 27-55; col. 15, lines 7-29; col.9, lines

8-11 and 33-50];

receiving a request from said client computer for financial

advice services data related to a current financial position

(accessing financial data and information about current and

projected balances and positions across customers, accounts,

books, funds..,and the like [col. 6, line 7-60 and col. 20,

lines 1-55];

transmitting said request for financial advice services

data to at least one financial advice service [col. 4, lines 50-

67 and col.10, lines 55 to col. 11 line 64];

receiving and compiling said financial advice services data

from said at least one financial advice service [fig, 4,

database 130 contains compiles financial service data col. 4,

lines 50-67 and col. 11, lines 50 to col. 12 line 4; and

transmitting a result of compiling said financial advice

services data to said client computer in the form of a financial

advice application [col.4, lines 50-65; col. 5, line 14 to col.

6, lines 47 and col. 19, lines 19-65].

Although Lewis shows substantial features of the claimed

invention as explained in claim 1, he does not explicitly show

at least one lifetime goal, wherein the lifetime goal is related

to at least and one of education, wealth accumulation,

retirement, estate planning, tax planning, survivorship,

disability, and long-term care.

Nonetheless, these features are well known in the art and would

have been an obvious modification of the system disclosed by

Lewis, as evidenced by Jones USPN. (6021397).

In analogous art, Jones whose invention is about a financial

advisory system for advising a user regarding feasible and

optimal portfolio allocations among a set of financial products,

disclose a financial advice system for advising a user about

lifetime goal such saving money to send a child to college

(education), saving more money (wealth accumulation), retirement

and purchasing [Col. 4, lines 24-34 and col. 6, lines 1-13].

Giving the teaching of Jones, a person of ordinary skill in the

art would have readily recognized the desirability and the

advantage of modifying Lewis by employing the financial advice

service system of Jones in order to provide specific and timely

advice to users regarding steps they can take to improve their

chances of meeting their financial goals in the most efficient

way [Col. 2, lines 41-45 and col. 20, lines 22-30].

Jones further teaches establishing a connection to at least

one financial advice service, wherein said at least one

financial advice service includes a roadmap service configured

to use the financial advice services data to provide financial

planning and advice; [fig. 1; col.5, lines 34-48 and col. 4,

line 24-59].

As per claim 2, Lewis teaches the method of claim 1, wherein

establishing a connection to at least one financial advice

service and transmitting said request for financial advice

services data to at least one financial service comprises:

establishing a connection to an application services

manager [col. 6, lines 61 to col. 7, line 30; see also col. 21,

lines 16-29];

transmitting a request to said application services manager

for said financial advice services data [col. 6, line 7-60; col.

20, lines 1-55];

establishing a connection between said application services

manager and at least one financial advice service [fig. 4 and

col.4, lines 50 to col. 5, line 12 and col. 6, line 7-60]; and

wherein receiving and compiling said financial advice

services data from said at least one financial advice service

comprises receiving and compiling said financial advice services

data from said application services manager [fig, 4, database

130 contains financial advice service data col.4, lines 50 to

col. 5, line 12; col. 19, lines 19-65].

As per claim 3, Lewis teaches the method of claim 1, further comprising communicating with an authentication server and authenticating a user of said client computer [col. 19, lines 22-36, see also col. 21, lines 16-29].

As per claim 4, Lewis teaches the method of claim 1, wherein said at least one financial advice service includes at least one of a leased storage service, a formatting service, a library service, a repository service, a simulator service, an asset allocation service, a business graphics service, a roadmap service, and an equity evaluation service [see Figs. 1 and 4; col.4, lines 50 to col. 5, line 48 and col.11, lines 50 to col. 12, line 15].

As per claim 5, Lewis teaches the method of claim 2, further comprising formatting data transmitted between any of said application program, said application services manager, and said at least one financial advice service in a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54 and col. 17, lines 11-21].

As per claim 6, Lewis teaches the method of claim 5, wherein said standardized data format is XML [col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54].

As per claim 7, Lewis teaches the method of claim 2, further comprising formatting data transmitted between a plurality of financial advice services in a standardized data format [col. 9, lines 33-51; col. 10, lines 50-54 and col. 17, lines 11-54].

As per claim 8, Lewis teaches the method of claim 7, wherein said standardized data format is XML [col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54].

As per claim 9, Lewis teaches the method of claim 1, further comprising scripting requests from said client computer such that a single request creates a financial advice application including data from a plurality of financial advice services [col. 5, lines 27-55 and col. 21, lines 43 to col. 22, line 39 and

As per claim 10, Lewis teaches the method of claim 1, further comprising communicating with a registration application configured to allocate a TCP/IP port for use by a financial

advice service during a client session [col. 19, lines 27 to
col. 20, line 23 and col. 21, lines 16-23].

As per claim 11 and 40, Lewis teaches a system and a method for
creating financial advice applications as explained in claim 1
above. The claims include similar limitations found in claim 1.
Therefore they are rejected with the same rationale.   -
Lewis further teaches an advice utility server in communication
with said at least one client computer and said at least one
application program [fig. 4 shows web enabled client devices 140
with desktop applications conforming to thin client/Web Server
architecture that is in communication with information servers
110, 111 or 112 with database 130 having financial service data
via Web server 120, col. 10, lines 50 to col. 11, line 24]; and
        at least one financial advice service (information servers
110, 111 or 112) in communication with said advice utility
server (Web server 120 and database 130), wherein each financial
service is configured to receive data from said advice utility
server and to transmit data to said advice utility server [Lewis
fig. 4, col. 5, lines 13 to col. 6, line 64; col. 10, lines 50
to col. 11, line 55].
As to the lifetime goal limitations see the claim 1 above.

As per claim 12 and 41, Lewis teaches the invention, further comprising an authentication server in communication with said advice utility server, wherein said authentication server is configured to authenticate a user of a client computer [col. 19, lines 22-36, see also col. 21, lines 16-29].

As per claim 13 and 42, Lewis teaches the invention, further comprising a data migration mechanism in communication with said advice utility server, wherein said data migration mechanism is configured to convert data transmissions between any of a client computer, said advice utility server, and a financial advice service into a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claims 14 and 43, Lewis teaches the invention, wherein said standardized data format is XML [col. 6, lines 1-6; col. 9, lines 37-51 and col. 17, lines 11-54].

As per claim 15, Lewis teaches the invention, further comprising a translator in communication with said advice utility server, wherein said translator is configured to translate data transmissions between a plurality of financial advice services

into a standardized data format [col. 9, lines 33-51; col. 10,
lines 50-54 and col. 17, lines 11-54].

As per claim 16, Lewis teaches the invention, wherein said
standardized data format is XML [col. 6, lines 1-6; col. 9,
lines 37-51 and col. 17, lines 11-54].

As per claim 17, Lewis teaches the invention wherein said advice
utility server is configured to script requests from said
application program such that a single request creates a
financial advice application including data from a plurality of
financial advice services [col. 65 lines 27-55].

As per claim 18, Lewis teaches the invention, further comprising
a registration application in communication with said advice
utility server and said at least one financial advice service,
wherein said registration application is configured to allocate
a TCP/IP port for use by a financial advice service during a
client session [col. 19, lines 27 to col. 20, line 23 and col.
21, lines 16-23].

As per claim 19 and 44, Lewis teaches the invention, wherein said
at least one financial advice service includes at least one of a

headless utility, a leased storage service, a formatting service, a library service, a repository service, a simulator service, an asset allocation service, a business graphics service, a roadmap service, and an equity evaluation service [see Figs. 1 and 4; col.4, lines 50 to col. 5, line 48 and col. 9, lines 37-51].

As per claim 20 and 45, Lewis teaches the invention, wherein said advice utility server comprises an application services manager 33configured to communicate with said at least one client computer and said at least one financial advice service [col. 6, lines 61 to col. 7, line 30; see also col. 21, lines 16-29].

As per claim 21 and 31 and 46, these are computer readable, device and method claims with similar limitations as claim 1 above, therefore, they are rejected with the same rationale.

As per claim 22 and 32, these claims have similar limitations as claim 2. Therefore, they are rejected with the same rationale. See the rejection on claim 2 above.

As per claim 23 and 33, Lewis teaches the invention, further comprising processing instructions configured to direct a

computer to perform the step of authenticating a user of said

client computer [col. 19, lines 22-36, see also col. 21, lines

16-29].

As per claim 24 and 34, Lewis teaches the invention, wherein

said at least one financial advice service includes at least one

of a leased storage service, a formatting service, a library

service, a repository service, a simulator service, an asset

allocation service, a business graphics service, a roadmap

service, and an equity evaluation service [see Figs. 1 and 4;

col.4, lines 50 to col. 5, line 48].

As per claim 25 and 35, Lewis teaches the invention, further

comprising processing instructions configured to direct a

computer to perform the step of formatting data transmitted

between any of said client computer, said advice utility server,

and said at least one financial advice service in a standardized

data format [col. 6, lines 61 to col. 7, line 30; see also col.

21, lines 16-29].

As per claim 26 and 36, Lewis teaches the invention, wherein

said standardized data format is XML [col. 6, lines 1-6 and col.

9, lines 37-51].

As per claim 27 and 37, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of formatting data transmitted between a plurality of financial advice services in a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claim 28 and 38, Lewis teaches the invention, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 29 and 39, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of allocating a TCP/IP port for use by a financial advice service during a client session [col. 19, lines 27 to col. 20, line 23 and col. 21, lines 16-23].

As per claim 30, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of scripting requests from said application program such that a single request creates a financial advice application including data from a plurality of financial advice services [col. 65 lines 27-55].

As per claim 47, Jones teaches the invention, wherein said

user-supplied data comprises at least one of economic group data

and goals [col. 5, lines 52 to col. 6, line 39].

As per claim 48, Jones teaches the invention, wherein said

economic group data comprises at least one of membership data,

demographics data, and financial data [col. 5, lines 52 to col.

6, line 39].

Conclusion

3.   **ACTION IS MADE FINAL.**   See MPEP § 706.07(a).   Applicant is

reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action

is set to expire **THREE MONTHS** from the mailing date of this

action.   In the event a first reply is filed within **TWO MONTHS**

of the mailing date of this final action and the advisory action

is not mailed until after the end of the **THREE-MONTH** shortened

statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated

from the mailing date of the advisory action.   In no event,

however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered

pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Yasin

Barqadle whose telephone number is 571-272-3947. The examiner

can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Glenn Burgess can be

reached on 571-272-3949. The fax phone numbers for the

organization where this application or proceeding is assigned

are 703-872-9306 for regular communications and 703-746-7238 for

After Final communications.

Any inquiry of a general nature or relating to the status

of this application or proceeding should be directed to the

receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be

obtained form the Patent Application Information Retrieval

(PAIR) system. Status information for published applications may

be obtained from either private PAIR or public PAIR system.

Status information for unpublished applications is available

through private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153

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